Administrative Separations

Administrative Law Section
Joint Law Center, MCAS Cherry Point,
BL219

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Joint Law Center, MCAS Cherry Point Website

- Separations Checklist
- Sample CO's letter

http://www.marines.mil/unit/mcascherrypoint/Pages/JLC/Default.aspx

- Free Courtesy Review at the JLC
  - Before the CO sign's anything!
- JLC Website
  - Separations Checklist
  - Sample CO's letter
- PTSD/TBI Evaluation
- SACC Evaluation
- Spice – Process for 6210.5 or .6

Sample CO's Letter

From: Commanding Officer, Unit
To: Commanding General, 2d Marine Aircraft Wing
Via: Commanding Officer, Unit

Subj: ADMINISTRATIVE SEPARATION PROCEEDINGS IN THE CASE OF RANK FIRST NAME MI. LAST NAME, XXX XX 6789/1234 USMC

Ref: (a) MCO P1900.16F (MARCORSEPMAN)

Encl: (1) Notification of Separation Proceedings w/ enclosures
(2) Copy of Respondent's SRB/BIR/BTR/ROS/AWDS/119/WC
(3) Supporting document for separation
(4) Interview letter & Character Statements
(5) PTSD/TBI evaluation
(6) SACC/PTA/ROT/Fast-Track documentation (If applicable)

Organization of Enclosures to a CO's Letter – Admin Sep Package

(1) Notification of Separation Proceedings
  (1) BCNR/NDRB
  (2) Acknowledgement of Rights
(2) Copy of Respondents SRB and 3270 printout
  + Right Side
   - Contract, page 1, 2, 3
   - Chronological Record, NACMAC 118(3)
   - Page 11, 6105 entries, NAVMAC 118(11)
   - Unit Punishment Book (UPB) NAVMAC 10132
   - Page 13, Summary Court-Martial
   - MCTFS, Record of Emergency Data (RED)
   - SGLI
   - State of Legal Residence
   - Privacy Act
  + Left Side
   - Annex A, B, and C
   - DD Form 1966, page 1, 2, 3, 4
   - Dependency application, if applicable
   - Other Misc. documents

Organization of Enclosures to a CO's Letter – Admin Sep Package

(2) Continued - - BIR/BTR/ROS/AWDS/EDU/119/WC
(3) PTSD/TBI Medical Evaluation/Review for PTSD/TBI
(4) Interview letters & Character Statements (SgtMaj, OIC, SNCOIC, NCOIC)
(5) Supporting Documents for Separation "Evidence"
- Drug Lab Message, DD Form 2624
- Fast Track documents
  + Results of Trail
  + Pre Trial Agreement
  + Atr.64 Letter

-Weight Control
  + Endorsements to weight control assignment
  + Charts, Informal Counseling's, Attendance Record
  + Completion of Nutrition MCI

(6) SACO Evaluation (if applicable)
- Drug or Alcohol abuse/dependence

(Legal Sufficiency & Administrative Standardization)

Short Form/Long Form???

- Short Form
  - Honorable or General Discharge
  - Misconduct?

- Long Form
  - Under Other Than Honorable
  - Fast track, Alternative Disposition, PTA?

"Spice = Mandatory Processing"

- MARCORSEPMAN
  - Use = Drug Abuse/6210.5
- SECNAVINST 5300.28
  - Use/Possession = Drug Abuse/6210.5
- MARFORCOM Order
  - Use/Possession = COSO/6210.6
  - Orders Violation = SCM or NJP

- When in doubt, call your SJA or process for both.

- You are required to begin separation proceedings immediately once you have confirmed use, possession, admission.

Administrative Separation Packages

ASAP = SACC, PTSD/TBI Evaluation, Physical and TAMP/TAP

- DO NOT include this paperwork in the Adsep Package.
- Note completion or expected date of completion in the CO's letter.

Administrative Separation Boards

- Acknowledgement of Rights
  - If Marine requests a Board…STOP!
  - Deliver package to Admin Law Section
  - Prepare Appointing Order = See JLC website
  - Identify Government Witnesses or other Evidence

Getting it done in a timely manner..can it be done?

Working Day	Board	Non-Board
01-05	-Incident, prepare doc's	-Incident, prepare doc's
06-10	-Package to JLC for review	-Package to JLC for review
11-15	-Return package for Not/Ack	-Return package for Not/Ack
16-20	-Board request, return to JLC	-Fwd package Group endorsement
21-25	-Serve Defense, Board Date set	-Package to JLC for SJA/CG letter
26-30	-Prep for Board	-Package to SJA/CG
31-35	-Prep for Board	-CG signs separation ≥ 7 Weeks
36-40	-Board Conducted	
41-45	-Package to SM and CO endorsement	
46-50	-Package to Group for endorsement	
51-55	-Package to JLC, SJA/CG letter	
56-60	-CG signs separation ≥ 12 Weeks	

*NJP, SCM, SACC, TAMP/TAP, PTSD/TBI evaluation, Final Physical (all occurring continuously throughout the process)

**Separation package to SJA when ALL requirements contained in package.

Administrative Separation Problems

- No 6105 counseling after NJP
- Improper 6105 counseling = Missing information
- Process for All Bases for separation
- Counsel for UnSat Performance on BCP
  - Easy to separate for UnSat vice Weight Control
- Giving 2d assignments on BCP, no progress
- Process in a Timely Maner!!!
  - Don't allow to rehabilitate, IF you intend to separate.

PTSD/TBI Evaluations

MARADMIN 328/10

-MEDMAN P-117

-DD Form 2807-1, DD Form 2808, DD Form 2697

-SF 600

-So many options, What is a good, simple, and legal way to do this?

-PTSD & TBI Checklist with MedO letter

Questions?